

# MEETING MINUTES

**MILPITAS PLANNING COMMISSION**  
**Milpitas City Hall, Council Chambers**  
**455 E. Calaveras Blvd., Milpitas, CA**

**Wednesday, May 9, 2018**

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| <b>I. PLEDGE OF ALLEGIANCE</b>             | <b>Chair Mandal</b> called the meeting to order at 7:00 P.M. and led the Pledge of Allegiance.  |
| <b>II. ROLL CALL/ SEATING OF ALTERNATE</b> | <p><b>Present:</b> Chair Mandal, Vice Chair Madnawat, Commissioners Sandhu, Morris, Maglalang, Mohsin, Chua</p> <p><b>Absent:</b> Ciardella (excused)</p> <p><b>Staff:</b> Bradley Misner, Heather Lee, Krishna Kumar</p>   |
| <b>III. PUBLIC FORUM</b>                   | <b>Chair Mandal</b> invited members of the audience to address the commission and there were no speakers.   |
| <b>IV. APPROVAL OF MEETING MINUTES</b>     | <p><b>Chair Mandal</b> called for approval of the April 25, 2018 meeting minutes of the Planning Commission.</p> <p><b>Motion</b> to approve Planning Commission meeting minutes.</p> <p>Motion/Second: Commissioner Sandhu/Commissioner Mohsin</p> <p>AYES: 7</p> <p>NOES: 0</p> <p>ABSTAIN: 0</p> |
| <b>V. ANNOUNCEMENTS</b>                    | No announcements  |
| <b>VI. CONFLICT OF INTEREST</b>            | <p><b>Deputy City Attorney Heather Lee</b> asked if any member of the Commission had any personal or financial conflict of interest related to any of the items on the agenda.</p> <p>There were no reported conflicts.</p>   |
| <b>VII. APPROVAL OF AGENDA</b>             | <p><b>Chair Mandal</b> asked if staff or Commissioners had changes to the agenda and there were none.</p> <p><b>Motion</b> to approve the May 9, 2018 agenda as submitted.</p> <p>Motion/Second: Commissioner Sandhu/Commissioner Maglalang</p> <p>AYES: 7</p> <p>NOES: 0</p>                       |

**VIII. CONSENT  
CALENDAR  
NO ITEMS**

**IX. PUBLIC HEARING**

**IX-1 LANDMARK TOWERS – 600 BARBER LANE – P-TE18-0002:** A request for a time extension for a tentative map (P-MT15-0003), site development amendment permit (P-SA15-0001), and conditional use permit (P-UP15-0007) for the construction of a 250' 4" high, 23 story (previously approved at 279' 6" high/22 story) mixed use building which includes 450 residential units, 50,000 square feet of commercial, retail and office space on an approximately 3 acre parcel.

Project Planner Krishna Kumar showed a presentation and discussed the project.

Ms. Kumar said there were corrections to the staff report and resolution as they state that the Planning Commission will adopt and approve the request; however, they should read that the Planning Commission will provide a recommendation to the city council.

Ms. Kumar highlighted the community benefits of the project, including a new fire truck and personnel training, a shuttle service, and \$1.5 million worth of public art for the enjoyment of the general public.

Mr. Misner noted several changes to the resolution, noting the date on the title should be May 15, the Planning Commission will make a recommendation to the city council, and Section 4 of the resolution will include this resolution along with all the previous conditions of approval for the project.

Commissioner Chua wanted to make clear to the commissioners that the project was already approved and is before the commission this evening for a time extension of the permits.

Commissioner Maglalang asked if financing issues was the reason for the time extension, and the expected timeline for construction. Mr. Misner said the applicant had been given a two year time period to obtain building permits, had an issue with financing which has been resolved, and will pursue building permits in the short term if the time extension is approved this evening.

Vice Chair Madnawat asked if there were project design changes in addition to the height change, and had comments regarding financing for the project. Ms. Kumar said that, although the height has changed, the design remains the same.

Bob Rittner, representing BDK Capital LLC, said there were financing issues, as one of the principal owners of BDK Capital had a significant amount of capital in China, and the Chinese government over the last year has made it increasingly difficult for Chinese nationals to move capital out of the country. They have been looking at alternate financing through institutional investors and have no doubt about their ability to get financing for the project.

In regards to the building height, originally the building was designed with steel, and with steel construction there are very deep beams plus a steel and concrete floor plate for each floor. In transitioning to a concrete design, the concrete is a flat plate

design with no beams and, essentially, they can get the same ceiling height in a shorter building by using concrete. There were no changes to the condominium unit count and some of the units got bigger allowing them to provide a better mix of two and three bedroom units.

Chair Mandal asked if the \$1.5 million contribution for public art would be a payment or art installation. Mr. Rittner said they have two options, to contribute to the public art fund or install public art onsite. With the significance of this project, they believe it is appropriate to develop public art and incorporate it into the project for public enjoyment.

Chair Mandal opened the public hearing and there were no speakers.

**Motion** to close the public hearing.

Motion/Second: Commissioner Mohsin/Commissioner Chua

AYES: 7

NOES: 0

**Motion** to Adopt Resolution No. 18-011 extending permits SA15-0001, MT15-0003, and UP15-0007, for 24 months until May 9, 2020 with added conditions of approval.

Motion/Second: Vice Chair Madnawat/Commissioner Mohsin

AYES: 7

NOES: 0

## **X. NEW BUSINESS**

### **X-1 DISCUSSION OF TRAINING TOPICS**

Mr. Misner proposed six potential training topics he believed the commission would be interested in hearing more about: Parking Spaces – demand versus building occupancy, Development Review Process, Transportation Demand Management, Urban Design Guidelines, Open Space and Parkland Calculations, and Zoning Basics.

Mr. Misner asked the commission for recommendations on other topics. Chair Mandal said there was a commission meeting in 2015 where similar suggestions were made, and asked that staff review the list.

Below are the commissioners' suggestions:

Commissioner Mohsin – urban design guidelines, connectivity between developments and open spaces, in-law quarters on existing properties.

Commissioner Chua - transportation demand management and managing traffic with new developments, designated areas for tiny homes, public art fund.

Commissioner Maglalang – parking and overcrowding, parking calculations, park in lieu fees, method of calculating open space.

Vice Chair Madnawat – information on affordable housing units funded by the city (number of units, if buyers are living there or renting and at what price), in-law

quarters ordinance, Midtown Specific Plan, audit of the public art fund (who contributed, how much, and how the money was spent).

Commissioner Sandhu – urban design guidelines, guidelines for home remodels, evaluation of lighting (i.e. parking lots).

Chair Mandal – transit oriented development, parking standards and public transit.

## **XI. ADJOURNMENT**

The meeting was adjourned at 8:26 PM.

**Motion** to adjourn to the next meeting.

Motion/Second: Vice Chair Madnawat/Commissioner Mohsin

AYES: 7

NOES: 0

*Meeting Minutes submitted by  
Planning Commission Secretary Elia Escobar*